

REMARKS/ARGUMENTS

This is in response to the Official Action mailed 11/15/04. A Request For Two Month Extension of Time and fee therefore, accompanies this response. Reconsideration of the above-identified application is respectfully requested.

Initially, Applicant acknowledges with appreciation the courtesy extended by Examiner Kim to Counsel in the interview of March 31, 2005. Therein Counsel discussed the drawings, particularly the recitation in the Official Action that corrected drawings in compliance with 37 CFR 1.121(d) are ... "required in reply to the Official Action to avoid abandonment".

Counsel advised the Examiner that he wished to argue against the objections, but was concerned that providing such argumentation alone, without providing the drawing change, could cause abandonment of the application. Examiner Kim advised Counsel that he understood the situation, and would not take action to abandon the application if the argument was presented without change to the drawings.

THE OBJECTION TO THE DRAWINGS

Page 2, numbered paragraph 1 of the Official Action objects to the drawings under 37 CFR 1.83(a). The USPTO argues that drawings in an application must show every feature of the invention and that the steps involved in the automatic generation of the printed document in the present application must be

illustrated in the drawings, or the features removed from the claims. Applicant submits that an illustration of steps in drawings is neither a requirement for patenting nor an appropriate illustration in the present invention.

This Application contains two series of claims: Method claims 1-15; and Device claims 16-19.

One sheet of drawings, designated FIG 1, is presented showing a unitary housing component 19 as a central component communicating within an arrangement of components including depiction of a remote data storage component 21, a control computer component 22 and a remote monitor component 23.

The unitary housing component 19 is illustrated as comprising a camera device 14, speaker device 15, microphone device 16, card swipe device 13, printer device 17, PC monitor device 12, and keyboard device 11.

Referring first to Device claims 15-19, they refer to the devices and/or components identified within FIG 1. It appears that FIG 1 is an appropriate figure in regard to the Device claims and objection has not been made in regard thereto. Applicant submits that FIG 1 is an adequate drawing illustrating the devices of claims 15-19.

Referring next to Method claims 1-15, Applicant is perplexed with the position being advanced by the USPTO that the "steps involved in the automatic generation of the printed document must be shown" or the claim canceled.

It is pointed out that the law is clear that figures are not required to claim inventions except where the invention is a device and cannot be understood without illustration for clarification.

In the method claims on file, though a plurality of actions are contemplated in the recitation of claim 1, the actions are not "steps", insofar as the claim does not require a seriatim of contemplated actions. Subsequent to the proviso paragraphs of claim 1, the data input by a visitor is generally passive in that it is scanned from a document provided by the visitor and/or physical characteristics observed from the visitor, with no particular seriatim recited in claim 1 as to which is done first or whether or not the actions are accomplished simultaneously, a process which is a normal and well understood multi-tasking capability of typical computers. Thus, the computerized arrangement actively scans the data received from the visitor in whichever order is desired by either the manner in which the visitor presents and/or which is desired by the operator, and compares it to data in various data banks, again with no particular sequence being required by claim 1, or, as a simultaneous multi-tasking undertaking. The objective of the scanning and comparison of data is to assure identification of the visitor, identify conflicting problematic data which may be contained in various data storage which are scanned, and to provide warning and deny entry and/or print entry documentation.

If the scanning occurs without identifying conflicting problematic data, entry documentation is printed and/or entry is allowed. If conflicting problematic data is identified, an alarm is given, entry is denied and/or human interaction is initiated.

The manner in which the actions of the method occur is fully disclosed in the specification, and does not lend itself to illustration in the form of a drawing which can add significant clarity to the claimed invention. Thus, the figure currently on file displays the arrangement of the components and devices which interact during the method of the invention and the depiction of the lines extending between the components illustrates the broad non-serial interactions recited in claim 1.

Applicant acknowledges that each of the actions recited in claim 1 could be illustrated by a plurality of separate boxes in a figure, but each box would have to illustrate a plurality of connecting lines to/from the plurality of boxes to accurately depict integrated input and output as clearly recited in the specification and claims. Such figure may well create a confusion of lines connecting boxes which does not currently exist.

Applicant knows of no law, policy, or required procedure which mandates that method claims be illustrated through drawings in a patent application. All method claims comprise actions, but not all actions are defined as "steps" and not all steps are subject to a single defined seriatim. It is submitted that the objection in the present circumstance is one

which imposes upon the Applicant a limitation to his invention which is neither recited in the specification or claims. It is therefore respectfully requested such objection be withdrawn.

THE REJECTION OF CLAIMS 1-15 UNDER 35 USC 112

Claims 1-15 have been rejected under 35 USC 112 for failing to particularly point out and distinctly claim the subject matter of the invention.

Applicant has amended the claims by addressing the particular objections made by the Examiner to claims 1, 9, 13 and 14, and adopting the terminology as suggested by the Examiner.

In view of the forgoing amendments, it is submitted the invention as recited in claims 1-15 is in condition for allowance and action toward that end is respectfully requested.

THE REJECTION OF CLAIMS 16-19 UNDER 35 USC 102(e)

Claims 16-19 have been rejected under 35 USC 102(e) as being anticipated by the disclosure of Patent Application Publication US 2003/0196097, filed June 2, 2003. The lineage of Patent Application Publication US 2003/0196097, is that it is a continuation-in-part of USSN 10/242,150, filed September 12, 2002, which apparently claims the effective filing date of Provisional Application 60/323,475 filed September 19, 2001.

The present Application has an effective filing date of February 12, 2002, less than five (5) months subsequent to the earliest filing date of the Provisional Application.

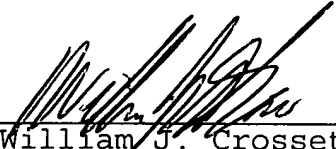
Enclosed herewith is a **DECLARATION UNDER 37 C.F.R. 1.131(b)** attesting to the Applicant having his invention prior to the effective filing date of Provisional Application 60/323,475 filed September 19, 2001.

In addition to the foregoing Declaration, Applicant has amended claim 16 to recite the enablement of automatic printing of entry documentation as recited in claim 1 of the method claims.

It is submitted that in view thereof, the invention recited in claims 16-19 of the present application has avoided the earliest applicable publication date of the cited Koresec et al patent references. Further, claims 16-19 have been further distinguished from Koresec by the enablement of automatic printing of entry documentation, not disclosed in Koresac.

In view of the foregoing, it is submitted the present application is in condition for allowance and action toward that end is respectfully requested.

Respectfully submitted,


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